

100-474-3394

DD/A Registry

File Security 2

4 SEP 1974

Mr. William L. Brown, Executive Director
Interagency Classification Review Committee
Room 604, National Archives Building
Seventh Street and Pennsylvania Avenue
Washington, D.C. 20408

Dear Mr. Brown:

Your memorandum of 13 August called attention to the fact that the number of authorized classifiers within the Agency had increased by 48 during the first half of CY 1974. I have been advised that, for the most part, this increase can be attributed to organizational changes which resulted in the creation of new positions whose incumbents required classification authority. In addition, it is known that several personnel transfers occurred during June, creating a situation in which outgoing incumbents and their replacements held classification authority simultaneously. The September 1974 quarterly report to the ICRC should reflect a correction of most of these overlapping authorities.

Be assured that there is no intention of permitting a steady increase in the number of authorized classifiers within the Agency. Should such a trend become evident, I shall initiate an Agency-wide review of all assignments of classification authority and require component heads to certify that all holders under their jurisdiction have a demonstrated need for the authority.

Your memorandum also noted that the Agency had reported no classification abuses for the second quarter of CY 1974, from which you drew the conclusion that the CIA's inspection program was not functioning properly. I have inquired into this matter and was informed that although classification irregularities and errors had been detected during the quarter none, in light of Amendment No. 2 to the 27 February 1973 letter of instructions on quarterly reports, was considered reportable at the time that the quarterly reports were submitted. All were deemed to have involved judgmental factors in matters in which there was a reasonable and good faith basis for disagreement. Although unreported, instances of unnecessary classification, overclassification, improper marking, etc., when detected, were processed in the same manner as was done prior to the recent amendment of reporting instructions: viz., the matter was discussed with the offender or a responsible colleague;

if agreement was reached that the document was marked in a manner inconsistent with the requirements of E. O. 11652, appropriate changes were made on all copies and the originator was cautioned about reoccurrences, if this seemed necessary.

Upon reviewing the file of classification irregularities in connection with your inquiry, however, the officers responsible for preparation of quarterly reports to the ICRC decided that one of the instances probably was reportable. Accordingly, a revised report on classification abuses has been prepared and is forwarded as an attachment to this letter. The incident involved use of the classifier/exempter identification number of an officer who had not yet been delegated classification authority. It had not been reported to the ICRC because the individual whose number was used was operating under the misconception that he had automatically acquired classification authority when assigned to a position requiring such authority. (The individual, a senior military officer, had been serving with the Agency for a relatively short time.) Moreover, the actual signer of the document involved did have Top Secret NSCA, and this was a factor in the initial decision not to report the incident to the ICRC.

If you have reason to believe that the Agency officers responsible for reporting classification abuses are misinterpreting the reporting requirements, they would be pleased to discuss the matter with you at your convenience.

Responsive to your other request, a brief description of the Agency's current inspection program is also attached. The program was not initiated on 1 February 1974, however. The Agency's Office of the Inspector General in February-March 1974 conducted a review of Headquarters components' classification practices, relying primarily on the use of questionnaires, and subsequently issued a report. The report's principal value is in relation to the educational aspects of implementing E. O. 11652. It suggested certain techniques which could be employed in monitoring compliance with the Executive Order, but fell short of proposing an inspection system, as such.

I am aware of the shortcomings of the "spot check" inspection system utilized by the Agency to uncover and correct classification abuses. The responsible unit was tasked with the development of a more systematic and comprehensive program during FY 1974. It was unable, however, to devise an improved system which would be feasible from the standpoint of manpower

resources. It was decided, therefore, to defer the task to FY 1975, by which time the Inspector General review would be completed and the question of revising the definition of classification abuse resolved. You will be informed of any significant progress in achieving the above objective. Any constructive suggestions which you may offer, based on your knowledge of the programs of other departments, will be welcomed by the officers working on the problem.

Sincerely,

/s/ John F. Blake

John F. Blake
Chairman

CIA Information Review Committee

TAT Attachments: a/

Originated by

C/ISAS

ISAS/CPB:CES:ycd

Distribution:

Original - Addressee

1 - ISAS

2 - DDA Chrono. Subject

The CIA Classification Abuses Inspection Program

The emphasis in the Agency has been on the prevention of classification abuses, placing primary reliance on normal supervisory review channels. The approving and/or releasing officer is expected to check whether each document is properly classified and marked, in addition to reviewing its substance.

A large percentage of the Agency's classification actions is controlled by classification guides or through preclassified forms. In both cases, responsible management officers have made the basic determinations concerning the appropriate classification, GDS exemption status, and other security markings for specific document series, thereby reducing or eliminating the discretionary judgments required of document originators. Originators of finished intelligence similarly seldom have to determine independently the appropriate classification status of their products. They are obliged to carry over to the finished product the highest classification and other controls carried by their source documents -- unless, of course, downgrading approvals have been obtained from the originators of the raw reports. Memoranda and other types of correspondence, therefore, constitute the documents where classification errors or abuses are most likely to occur.

The Information Systems Analysis Staff has an Agency-wide mission in such fields as records management, micrographics, word processing, classification/declassification, etc. It is thus in a position to receive a wide spectrum of classified documents originated by diverse Agency components. Members of the Classification Programs Branch, a subelement of the Staff, systematically examine virtually all documents -- notices, regulations, handbooks, memoranda, optionally classified forms, staff studies, newsletters -- passing through the office. In all cases a check is made to ascertain whether the classifier/exempter was properly authorized, whether the document was properly classified, and whether the markings were in accordance with regulations. In the case of suspected irregularities, the originator or a competent associate is contacted and the problem is discussed. Occasionally, this takes the form of a written exchange. If agreement is reached that the document was improperly classified or marked, corrective action is taken. Failure to reach an agreement -- and this has

never occurred -- would result in the matter being referred to the CIA Information Review Committee for resolution. The emphasis of the program, it should be reiterated, is corrective and preventative, rather than punitive. No record of classification abuses will be placed in an individual's official file unless the offender has been a repeated "abuser." Such a circumstance has yet to arise.

The inspection program has been supplemented by an ad hoc examination of all Agency-originated raw information reports and cables disseminated on a given date. These document series are controlled in most respects by classification guides, but errors (clerical in nature) have been uncovered and called to the attention of appropriate officers.